

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 2:07-cr-280-MHT</b>
	)	
<b>TIMOTHY G. JONES</b>	)	

**MOTION TO RECONSIDER DETENTION**

**COMES NOW** the Defendant, **TIMOTHY G. JONES**, by undersigned counsel, Michael J. Petersen, and respectfully requests this Honorable Court reconsider the issue of Mr. Jones' continued pre-trial detention and set a date and time for a hearing in order that evidence may be presented to this Honorable Court. And for reasons, Mr. Jones would state:

1. Mr. Jones was the subject of two separate indictments in this Court, Case No. 2:07-cr-00144-WKW and Case No. 2:07-cr-00280-MHT.

2. On April 28, 2008, Mr. Jones appeared before Magistrate Judge Capel to respond to a motion to Revoke Bond filed by his pre-trial services officer in both cases before this Court. (Docket 2:07-cr-144, Doc #24; Docket 2:07-cr-280, Doc #23).

3. On April 28, 2008, Magistrate Judge Capel granted the motion to Revoke Bond, revoking Mr. Jones' pretrial release pending his sentencing in 2:07cr144-WKW and his trial in 2:07cr280-MHT. Mr. Jones was remanded to the custody of the United States Marshal Service pending further proceedings in both matters. (Docket 2:07-cr-144, Doc #34; Docket 2:07-cr-280, Doc #29).

4. On May 14, 2008, Mr. Jones appeared before the Honorable William K. Watkins for

Sentencing in Case No. 2:07-cr-00144-WKW. (Docket 2:07-cr-144, Doc #24). Mr. Jones was sentenced to a term of 45 days in the custody of the Bureau of Prisons. (Docket 2:07-cr-144, Doc #26).

5. On or about May 29, 2008, Mr. Jones completed his sentence in Case No. 2:07-cr-00144-WKW while incarcerated at the Montgomery City Jail.

6. Mr. Jones is presently set for trial on September 22, 2008 in Case No. 2:07-cr-00280-MHT. (Docket Case No. 2:07-cr-00280-MHT, Doc #33).

7. Mr. Jones respectfully submits that he wishes to be heard on the issue of his pre-trial detention and submits that this material change in circumstance, that is, the completion of his sentence in Case No. 2:07-cr-00144-WKW, should be considered. He would also submit evidence from his wife, Kathy Jones, as to the location where he would reside should this Honorable Court release him on bond, the installment of a second telephone line to enable electronic monitoring should this Court so order, Ms. Jones' willingness to act as a third-party custodian, and any other matters this Honorable Court would wish to have presented.

**WHEREFORE**, based upon the foregoing, the Defendant, by and through undersigned counsel prays this Honorable Court will set date and time for a re-opened detention hearing in order that Mr. Jones might present evidence for the Court's consideration on the issue of his continued detention.

Dated this 3rd day of July, 2008.

Respectfully submitted,

s/ Michael J. Petersen  
MICHAEL J. PETERSEN  
Assistant Federal Defender

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ASB-5072-E48M

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 3, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Jerusha Adams, Esq., Assistant U.S. Attorney, 131 Clayton Street, Montgomery, AL 36101.

Respectfully submitted,

s/ Michael J. Petersen  
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